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Letter dated 28 February 2017 from the Permanent Representative of Singapore to the United Nations addressed to the Chair of the Committee

I refer to paragraph 36 of Security Council resolution 2321 (2016), in which the Council requested States to report on the measures taken to implement the provisions specified therein.

I enclose for your reference the report of the Government of Singapore on the measures taken to implement the provisions of Security Council resolution 2321 (2016) (see annex).

(*Signed*) Burhan **Gafoor**
Ambassador
Permanent Representative

17-03597 (E) 090317

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Annex to the letter dated 28 February 2017 from the Permanent Representative of Singapore to the United Nations addressed to the Chair of the Committee

Report of Singapore on the implementation of Security Council resolution 2321 (2016)

1. In paragraph 36 of Security Council resolution 2321 (2016), adopted on 30 November 2016, the Council called upon all Member States to report to it within 90 days of the adoption of the resolution, and thereafter upon request by the Committee, on concrete measures that they had taken to implement effectively the provisions of the resolution. It also requested the Panel of Experts established pursuant to resolution 1874 (2009), in cooperation with other sanctions monitoring groups of the United Nations, to continue its efforts to assist Member States in preparing and submitting such reports in a timely manner. The present report describes the measures taken by Singapore.

Legislative framework

2. Singapore is committed to the implementation of resolution 2321 (2016). Singapore has the necessary legislative framework in place to meet its obligations under the resolution. This section expands upon the specific measures that have been given effect under the national laws and regulations of Singapore. For a detailed description of its legislation, please refer to the national reports of Singapore on the implementation of resolutions 1718 (2006), 1874 (2009), 2094 (2013) and 2270 (2016) (see S/AC.49/2006/9, S/AC.49/2009/24, S/AC.49/2013/3 and S/AC.49/2016/17).

Measures given effect under the Strategic Goods (Control) Act and the Regulation of Imports and Exports Act

3. The Strategic Goods (Control) Act and the Regulation of Imports and Exports Act, along with related regulations, allow Singapore to implement the paragraphs of resolution 2321 (2016) relating to the transfer, brokering and inspection of sanctioned items by controlling the export, re-export, trans-shipment, transit and brokering of strategic goods, as well as items which are prohibited from transfer to and from the Democratic People's Republic of Korea. This includes controls on intangible transfers of technology and a "catch-all" provision that prohibits the export, trans-shipment or transit of items which are not included in the control list, but which are intended or likely to be used in connection with a relevant activity. Relevant activity is defined under the Strategic Goods (Control) Act as the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of any nuclear, chemical or biological weapon; or missiles which are capable of delivering any such weapon.

4. Paragraph 21 of resolution 2321 (2016) underscores Member States' obligation under paragraph 18 of resolution 2270 (2016) to inspect the cargo within or transiting through their territory. Singapore has existing permit requirements for imports, exports and re-exports of all cargo from or to the Democratic People's Republic of Korea. It is in the process of expanding these requirements under the

Regulation of Imports and Exports Regulations to cover all transit or trans-shipment cargo originating from or destined for the Democratic People's Republic of Korea.

5. Singapore is in the process of updating its list of prohibited items in the Seventh Schedule of the Regulation of Imports and Exports Regulations to include the additional items prohibited under paragraphs 4, 5, 7, 28, 29 and 30 of resolution 2321 (2016), as well as to effect the relevant changes to certain prohibitions, including but not limited to the prohibition on coal, iron and iron ore under paragraph 26 of resolution 2321 (2016). Singapore has completed its review and update of its existing list of luxury goods prohibited for transfer to the Democratic People's Republic of Korea. The forthcoming list of prohibited luxury goods includes all the items specified in annex IV to resolution 2094 (2013), annex IV to resolution 2270 (2016) and annex IV to resolution 2321 (2016) and will come into effect after legal vetting.

6. The Strategic Goods (Control) Act and the Regulation of Imports and Exports Act contain the powers necessary for authorized officers to search premises and conveyances in situations where contravention of relevant provisions of the two Acts, including provisions implementing the relevant paragraphs of resolution 2321 (2016), is suspected.

Measures given effect under the Merchant Shipping Act and the Maritime and Port Authority of Singapore Act

7. The Merchant Shipping Act and the Maritime and Port Authority of Singapore Act respectively empower the relevant authorities to deregister a Singapore-flagged vessel and refuse entry to any vessel, if necessary, which may extend to situations covered by paragraph 12 of resolution 2321 (2016).

Measures given effect under the Monetary Authority of Singapore (Sanctions and Freezing of Assets of Persons — Democratic People's Republic of Korea) Regulations 2016

8. The Monetary Authority of Singapore has the authority to issue regulations under the Monetary Authority of Singapore Act to give effect to the provisions of the Security Council resolutions related to the financial sector. The requirement for financial institutions to freeze the funds, other financial assets or economic resources of the individuals and entities newly designated pursuant to paragraph 3 of resolution 2321 (2016) has been automatically incorporated into the Monetary Authority of Singapore (Sanctions and Freezing of Assets of Persons — Democratic People's Republic of Korea) Regulations 2016.

9. The Monetary Authority of Singapore is in the process of updating the Monetary Authority of Singapore (Sanctions and Freezing of Assets of Persons — Democratic People's Republic of Korea) Regulations 2016 to give effect to the new finance-related provisions of resolution 2321 (2016). On 6 January 2017 the Monetary Authority of Singapore also issued a circular for all financial institutions to highlight these new provisions and to alert them to the risk that the Democratic People's Republic of Korea could use front companies and business relationships with Singaporean companies to circumvent Security Council sanctions.

Measures given effect under the Immigration Act

10. The Immigration Act governs the movement of persons into and out of Singapore. Under section 7 of the Act, only citizens of Singapore have an automatic right of entry into Singapore. Under section 6, unless exempted by an order made under section 56, all persons other than a citizen of Singapore must be issued a valid pass before they are allowed entry. As part of entry procedures, they are screened against the Immigration and Checkpoint Authority's system during entry clearance. Nationals of the Democratic People's Republic of Korea who are persons designated under resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016) will be denied entry and returned to their last port of embarkation, in accordance with international practice. With effect from 1 October 2016, Singapore has also imposed a visa requirement on all nationals of the Democratic People's Republic of Korea who wish to enter Singapore.

Measures given effect under the United Nations Act

11. The United Nations Act enables Singapore to give effect to binding decisions of the Security Council through secondary legislation in areas not covered by existing legislation without the need to enact additional primary legislation. Singapore is assessing whether there is a need to further update the United Nations (Sanctions — Democratic People's Republic of Korea) Regulations to give effect to the binding provisions of resolution 2321 (2016) that may not already be covered by the above-mentioned pieces of legislation and other institutional measures.

Measures given effect or supplemented by other means

Restrictions on diplomatic missions of the Democratic People's Republic of Korea

12. Paragraph 18 of resolution 2321 (2016) requires Member States to prohibit the Democratic People's Republic of Korea from using real property that it owns or leases in their territory for any purpose other than diplomatic or consular activities. The Democratic People's Republic of Korea has an embassy in Singapore, which under the Diplomatic and Consular Relations Act (implementing the Vienna Convention on Diplomatic Relations), must not be used in any manner incompatible with the functions of the embassy.

13. Paragraph 31 of the resolution requires Member States to take the necessary measures to close existing representative offices, subsidiaries or banking accounts in the Democratic People's Republic of Korea within 90 days. Singapore does not have any representative offices, subsidiaries or banking accounts in the Democratic People's Republic of Korea.

Specialized training for nationals of the Democratic People's Republic of Korea

14. Singapore is putting in place measures to ensure compliance with paragraphs 10 and 11 of resolution 2321 (2016).

Restrictions on movement of officials associated with nuclear or ballistic missile programmes of the Democratic People's Republic of Korea

15. Paragraph 15 of resolution 2321 (2016) requires Member States to take steps to restrict the entry of members of the Government of the Democratic People's Republic of Korea or officials of that Government into their territory, if the Member State determines that such members or officials are associated with the nuclear or ballistic missile programmes of the Democratic People's Republic of Korea. For the purposes of facilitating the implementation of paragraph 15, Singapore has imposed a visa requirement on all nationals of the Democratic People's Republic of Korea entering Singapore with effect from 1 October 2016.

Restrictions on transfer of coal, iron and iron ore from the Democratic People's Republic of Korea

16. Paragraphs 26 to 28 of the resolution require Member States to prohibit the transfer, buying and selling of coal, iron and iron ore, as well as copper, nickel, silver and zinc, from the Democratic People's Republic of Korea. In addition to the amendments to the Strategic Goods (Control) Act and the Regulation of Imports and Exports Regulations described above, the Ministry of Trade and Industry will issue a circular to inform and advise the business community on compliance with resolution 2321 (2016) once the aforementioned legislative amendments have come into effect.

Provision of aircraft- and vessel-related services to the Democratic People's Republic of Korea

17. Paragraphs 8 and 23 of the resolution require Member States to prohibit their nationals and those in their territories from leasing or chartering their flagged vessels or aircraft or providing crew services to the Democratic People's Republic of Korea without exception, unless approved by the Committee on a case-by-case basis in advance, and to prohibit their nationals from procuring vessel and aircraft crewing services from the Democratic People's Republic of Korea. In addition to the existing legislative prohibitions under the United Nations (Sanctions — Democratic People's Republic of Korea) Regulations, the Maritime and Port Authority of Singapore issued a circular on 20 January 2017 to inform and advise the shipping community on compliance with resolution 2321 (2016). The Civil Aviation Authority of Singapore also issued a circular on 24 January 2017 to inform and advise the aviation community on compliance with resolution 2321 (2016).

18. Paragraph 20 of the resolution requires Member States to ensure that no more fuel is provided to civil passenger aircraft under the flag of the Democratic People's Republic of Korea than is necessary for the relevant flight. Civil passenger aircraft under the flag of the Democratic People's Republic of Korea do not make any landings in Singaporean airports.

19. Paragraph 24 requires Member States to deregister any vessel that is owned, controlled, or operated by the Democratic People's Republic of Korea. The Singapore Registry of Ships does not contain any vessels that are owned, controlled or operated by the Democratic People's Republic of Korea.

Raising awareness of Security Council resolution 2321 (2016)

20. The Singapore authorities have proactively engaged business owners and relevant entities to remind them of existing and new restrictions imposed on the Democratic People's Republic of Korea. The Singapore authorities are also in the process of reaching out to individual businesses involved in trade with entities linked to the Democratic People's Republic of Korea to advise them to abide by the restrictions imposed by resolution 2321 (2016).

21. Singapore takes its obligations under resolution 2321 (2016) seriously. Singapore will continue to assess and update its national legislation and regulations regularly to ensure that it is able to implement resolution 2321 (2016) fully and effectively.